

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

IN THE MATTER OF:
ADAM HURD,
DEBTOR.

CHAPTER 13
CASE NO. 20-50109-LSG
JUDGE LISA S GRETCHKO

TRUSTEE'S MOTION TO DISMISS FOR FAILURE TO MAKE PAYMENTS

Now Comes the Chapter 13 Trustee, Krispen S. Carroll, and moves this Honorable Court for dismissal of the above-captioned matter, and in support thereof states as follows:

1. That this Motion is brought pursuant to 11 U.S.C. § 1307(c)(6).
2. According to the books and records of the Trustee the Debtor has failed to make payments pursuant to 11 U.S.C. § 1326(a)(1).
3. This Chapter 13 Case was confirmed on 8/17/2021 and is set to expire on 8/17/2026.
4. As of 4/15/2025, debtor has an accrued delinquency in payments due under the Confirmed Chapter 13 Plan (as last modified, if any) of \$4,458.77 and an overall pay history of 93%. A full accounting is available at ndc.org and 13network.com. Trustee notes that the case is running 63 months.
5. Debtor's delinquency in Plan payments constitutes a material default with respect to a term of the confirmed Plan pursuant to 11 U.S.C. § 1307 (c)(6).
6. The Chapter 13 Trustee sought concurrence of debtor's counsel in the relief requested on 4/8/2025, but at the time of filing this motion, such concurrence had

not been given.

WHEREFORE, the Chapter 13 Trustee prays this Honorable Court dismiss the above-captioned matter due to a material default in the terms of the Chapter 13 Plan.

OFFICE OF THE CHAPTER 13 TRUSTEE-DETROIT
KRISPEN S. CARROLL, CHAPTER 13 TRUSTEE

/s/ Krispen S Carroll -MCS

April 15, 2025

Krispen S. Carroll (P49817)
26999 Central Park Blvd, Ste 125N
Southfield, MI 48076
(313) 962-5035
notice@det13ksc.com

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ORDER DISMISSING CASE FOR FAILURE TO MAKE PAYMENTS

This matter having come to be heard upon the Trustee's Motion to Dismiss) ("Motion"; ECF #), Required parties were served with the Motion and with notice of the deadline for responses thereto. No response to the Motion was timely filed, and a certification of no response has been filed. The Court has reviewed the Motion and other pertinent pleadings and is sufficiently advised in the premises.

NOW, THEREFORE, IT IS HEREBY ORDERED that this Chapter 13 case is dismissed.

IT IS FURTHER ORDERED that the Clerk of the Court shall provide notice of the entry of this order to all creditors listed in this case, the debtor, debtor's attorney, if any, and the Trustee.

IT IS FURTHER ORDERED that Krispen S. Carroll, Trustee, is discharged as Trustee and the Trustee and her surety are released from any and all liability on account of the within proceeding.

EXHIBIT "A"

**UNITED STATES BANKRUPTCY COURT
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IN THE MATTER OF:

ADAM HURD,
AKA/DBA:
Debtor.

CHAPTER 13
CASE NO. 20-50109-LSG
JUDGE LISA S GRETCHKO

Address
1360 HARRY ST
YPSILANTI, MI 48198-6620

Last four digits of Social Security or Individual Tax-payer
Identification (ITIN) No(s)., (if any): 0429.

Employer's Tax Identification (EIN) No(s).(if any): _____

NOTICE OF TRUSTEE'S MOTION TO DISMISS

The Chapter 13 Trustee has filed papers with the court to dismiss the above-captioned case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult with one.)

If you do not want the court to dismiss the above-captioned case or if you want the court to consider your views on the Trustee's motion, within 14 days, you or your attorney must:

1. File with the court a written response or an answer, explaining your position at¹:

**United States Bankruptcy Court
211 W. Fort Street, Suite 2100
Detroit, Michigan 48226**

If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above. All attorneys are required to file pleadings electronically.

¹Response or answer must comply with F.R.Civ.P. 8(b), (c) and (e)

You must also send a copy to:

OFFICE OF THE CHAPTER 13 TRUSTEE - DETROIT

ATTN: MOTION DEPARTMENT

26999 Central Park Blvd, Ste 125N

Southfield, MI 48076

2. If a response or answer is timely filed and served, the clerk will schedule a hearing on the Motion and you will be served with a notice of the date, time and location of the hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

OFFICE OF THE CHAPTER 13 TRUSTEE - DETROIT

Krispen S. Carroll, Chapter 13 Trustee

/s/ Krispen S Carroll -MCS

April 15, 2025

KRISPEN S. CARROLL (P49817)
26999 Central Park Blvd, Ste 125N
Southfield, MI 48076
(313) 962-5035
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CERTIFICATE OF MAILING

I hereby certify that on the date indicated below, I electronically filed **TRUSTEE'S MOTION TO DISMISS FOR FAILURE TO MAKE PAYMENTS, PROPOSED ORDER, NOTICE AND OPPORTUNITY FOR HEARING, AND CERTIFICATE OF MAILING** with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

NEW START LAW GROUP, PLLC
4747 QUARTON RD
BLOOMFIELD HILLS, MI 48301

and I hereby certify that the following non-ECF participants were served the above mentioned documents via First Class Mail at the address listed below:

ADAM HURD
1360 HARRY ST
YPSILANTI, MI 48198-6620

/s/ Angelique James

April 15, 2025

Angelique James
For the Office of the Chapter 13 Trustee-Detroit
26999 Central Park Blvd, Ste 125N
Southfield, MI 48076
(313) 962-5035
notice@det13ksc.com